PTO/SB/21 (08-00) Please type a plus sign (+) inside this box→ Approved for use through 10/31/2002. OMB 0651-0031 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Inder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. 10/037,343 Application Number October 23, 2001 NOV 2 5 2002 Filing Date **TRANSMITTAL** Patterson, et al. **FORM** First Named Inventor ENT & TRAD RECEIVED 2681 (to be used for all correspondence after initial filing) Group Art Unit. **Examiner Name** 711901-1040 Technology Center 2600 76 Attorney Docket Number Total Number of Pages in this Submission ENCLOSURES (check all that apply) After Allowance Communication Assignment Papers Fee Transmittal Form to Group (for an Application) Appeal Communication to Board Drawing(s) Fee Attached of Appeals and Interferences Appeal Communication to Group Licensing-related Papers Amendment / Reply Proprietary Information Petition After Final Status Letter Petition to Convert to a Affidavits/declaration(s) Provisional Application Other Enclosure(s) (please identify below): **Extention of Time Request** Power of Attorney, Revocation **Express Abandonment Request** Return Receipt postcard Change of Correspondence Address PTO Form 1449 Information Disclosure Statement Terminal Disclaimer Copies of 3 cited U.S. Patents and 2 Certified Copy of Priority cited European Patent Applications (with Request for Refund Documents English-language Translations) CD, Number of CD(s)\_ Response to Missing Parts/ Incomplete Application REMARKS Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm David L. Berdan, Registration No. 41,614 Individual Name Signature 11/20/02 Date **CERTIFICATE OF MAILING** I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: Cynthia K. Dempster Typed or printed name Date Signature

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3/TDS 1/21/04 PATENT DU

In Re Application of:

Patterson, Wade C., et al.

Confirmation No.: 6460 Group Art Unit: 2681

Serial No.: 10/037,343

Examiner:

Filed: October 23, 2001

Docket No.: 711901-1040

For: APPARATUS AND METHOD FOR WIRELESS DATA TRANSMISSION

under 37 CFR 1.97(b), or

RECEIVED

INFORMATION DISCLOSURE STATEMENT

NOV 2 7 2002

Commissioner for Patents Washington, D.C. 20231

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**Technology Center 2600** 

Sir:

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This information disclosure statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, and specifically:

	(within Three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
	under 37 CFR 1.97(c) together with either a:  Statement Under 37 C.F.R. 1.97(e), or  a \$180.00 fee under 37 CFR 1.17(p), or  (After the CFR 1.97(b) time period, but before the final office action or notice of allowance, whichever occurs first)
	under 37 CFR 1.97(d) together with a:  Statement under 37 CFR 1.97(e), and a \$180.00 petition fee set forth in 37 CFR 1.17(p).  (Filed after final office action or notice of allowance, whichever occurs first, but before payment of the issue fee)
patents, be mate CFR 1	ant(s) submit herewith Form PTO 1449A - Information Disclosure Statement by Applicant together with copies of publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may or may not erial to the examination of this application and for which there may be a duty to disclose in accordance with 37 .56. As required by 37 C.F.R. §1.98(a), a legible copy of each document and written English-language ion of any non-English-language documents is provided.

A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on the form PTO 1449 and is enclosed herewith.

The following rights are reserved by the Applicant(s): the right to establish the patentability of the claimed invention over any of the listed documents should they be applied as reference, and/or the right to prove that some of these documents may not be prior art, and/or the right to prove that some of these documents may not be enabling for the teachings they purport to offer.

. This statement should not be construed as a representation that an exhaustive search has been made, or that information more material to the examination of the present application does not exist. The Examiner is specifically requested not to rely solely on the materials submitted herewith. The Examiner is requested to conduct an independent and thorough review of the documents, and to form independent opinions as to their significance.

It is requested that the information disclosed herein be made of record in this application and that the Examiner initial and return a copy of the enclosed PTO-1449 to indicate the documents have been considered.

Respectfully Submitted,

THOMAS, KAYDEN, HORSTEMEYER

& RISLEY, L.L.P.

David L. Berdan

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## **CERTIFIED MAILING**

Signature

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**EXAMINER'S SIGNATURE:** 

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(Use several sheets if necessary)

Attorney Docket No. 711901-1040

Serial No. 10/037,343

Applicant

Patterson, Wade C., et al.

Filing Date

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			U.S. PA	TENT DOCUMENTS					
Examiner Initials	Item	Document Number	Date	Name	Class	Subclass	Filing I		
	A	4,965,448	10/23/90	Morse, et al.	250	252.1			
	В	5,570,869	11/05/96	Diaz, et al.	251	129.04			
,	С	5,819,336	10/13/98	Gilliam, et al.	4	623			
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